

## REMARKS

After entry of the above amendments, the claims pending in the subject application are 1-2, 5, 7, 9, 11, and 13. Reconsideration of this application based on the Amendments and Remarks presented herein is respectfully requested.

Claim 2 was amended to provide antecedent basis for "organic compound" in claim 5.

Claim 5 has been rewritten in multiple dependent format, and it now depends from 2 claims. No fee is due because the multiple dependent claim fee was paid at the time of filing, and the additional claim count now in claim 5 does not exceed the total number of claims previously paid for because of the cancellation of claims 3, 4, 6, 8, 10, 12, and 14.

## ELECTION/RESTRICTIONS

Claims directed to the non-elected Groups II (quats) and III (organic compounds other than amido amines and quats) have been canceled. Specifically, claims 3, 6, 10, and 14 directed to quaternary ammonium compounds have been canceled. Claim 1 has been amended to claim the amido amines of Group I.

Claim 5 should also be rejoined (MPEP 821.04(b)) because it relates to a method for making the allowed product of claims 1 or 2. Claim 5 depends from claims 1 or 2 and contains all of the elements of claims 1 or 2.

## OBVIOUSNESS TYPE DOUBLE PATENTING REJECTIONS

Claims 1, 2, 4, 7-9, and 11-13 were provisionally rejected under the judicially created doctrine of obviousness type double patenting as being unpatentable over claims 1-12 of co-pending Application No. 10/803,586. This rejection is rendered moot with the re-filing of the a Terminal Disclaimer signed by an attorney of record along with a Revocation of Power of Attorney with New Power of Attorney.

In view of the amendments and remarks contained above, Applicants respectfully request reconsideration of the application, withdrawal of the obviousness type double

patenting rejections, request that all claim 5 be rejoined under MPEP 821.04(b), and request that a Formal Notice of Allowance be issued for claims 1-2, 5, 7, 9, 11, and 13. Should the Examiner have any questions about the above remarks, the undersigned attorney would welcome a telephone call.

Respectfully submitted,  
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